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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARC S. KIRSCHNER,  
as Trustee of the Refco Private Actions Trust,

Plaintiff,

v.

PHILLIP R. BENNETT, SANTO C. MAGGIO,  
ROBERT C. TROSTEN, MAYER, BROWN,  
ROWE & MAW, LLP, GRANT THORNTON  
LLP, and ERNST & YOUNG U.S. LLP,

Defendants.  
----- X

07 Civ. 8165 (GEL)

**STIPULATION AND ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for  
the undersigned parties to the Action, as follows:

1. Defendants' time to file their respective responses to Plaintiff's Complaint is extended from May 27, 2008 to June 6, 2008.
2. Plaintiff's time to file its opposition papers, if any, is extended from August 25, 2008 to September 15, 2008.
3. Defendants' time to file their respective reply papers, if any, is extended from September 24, 2008 to October 15, 2008, or until thirty (30) days after Plaintiff's opposition is filed in the event Plaintiff files its opposition prior to September 15, 2008.
4. This stipulation may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same agreement, and a facsimile, which shall have the same force and effect as an original signature, may be filed in place and instead of the original.

5. No previous requests for the relief sought herein have been made.

Dated: May 16, 2008  
New York, New York

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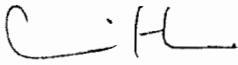
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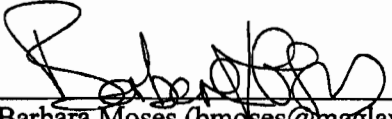
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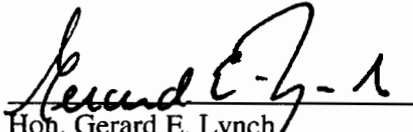
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SO ORDERED.

  
Hon. Gerard E. Lynch  
United States District Judge

5/27/08